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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,412	03/09/2004	Ly Tam Phan	ENP-029 CON

000038473
 ELMORE CRAIG, P.C.
 209 MAIN STREET
 N. CHELMSFORD, MA 01863



CONFIRMATION NO. 9034

FORMALITIES LETTER



OC000000012878899

Date Mailed: 06/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

07/23/2004 MAHNE1 00000054 10796412

01 FC:2001 385.00 UP
 02 FC:2051 65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

E. J. Mura

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. **ENP-029 CON**
(4014.1029 US1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ly Tam Phan, Nha Vo, Yat Sun Or, Yao-Ling Qiu and Ying Hou

Application No.: 10/796,412 Group: 1614

Filed March 9, 2004 Examiner Not Assigned

Confirmation No.: 9034

For: 5-0-MYCAMINOSYLTYLONIDE DERIVATIVES

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>July 20, 2004</u> Date	<u>Judy Breen</u> Signature
Judy Breen	
_____ Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice to File Missing Parts dated June 7, 2004, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

- ☐ **EXECUTED DECLARATION FOR PATENT APPLICATION**
(Separate transmittal letter and postcard not required)
- ☐ **POWER OF ATTORNEY DOCUMENT**
 - ☐ **GRANTED BY INVENTOR(S)**
 - ☐ **GRANTED BY ASSIGNEE, INCLUDING Statement under 37 C.F.R. 3.73(b)**
(Separate transmittal letter and postcard not required)
- ☐ **PRELIMINARY AMENDMENT**
(Separate transmittal letter and postcard not required)
- ☒ **FILING FEE – WITH Fee Transmittal for Patent Applications in duplicate**
Fee calculations based on:
 - ☒ Claims as originally filed
 - ☐ Claims upon entry of the Preliminary Amendment filed herewith
(Separate transmittal letter and postcard not required)

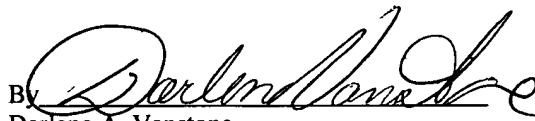
Application No.: 10/796,412
Notice to File Missing Parts dated June 7, 2004

- ☒ **SURCHARGE – SURCHARGE FEE OF \$65**
(Separate transmittal letter and postcard not required)
- ☐ **SEQUENCE LISTING – Filed concurrently and is attached**
(Separate transmittal letter and postcard required)
- ☐ **SUBSTITUTE DRAWINGS**
☐ Sheets of substitute drawings consisting of Figs. 1 – [] are enclosed
(Separate transmittal letter and postcard not required)
- ☐ **PETITION FOR EXTENSION OF TIME**
☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []. The appropriate fee of \$[] is included in the enclosed check.
☐ A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.
☐ Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.
(Separate Petition for Extension of Time and postcard not required)
- ☐ **REQUEST FOR CORRECTED FILING RECEIPT – Filed concurrently and is attached.**
(Separate transmittal letter and postcard required)
- ☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**
☐ Applicant claims small entity status.
☐ Is enclosed herewith (Separate transmittal letter and postcard not required)
☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$450.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 502807. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

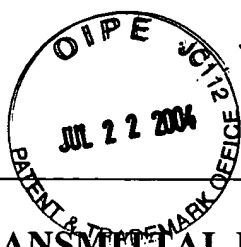
ELMORE CRAIG, P.C.

By 

Darlene A. Vanstone
Registration No.: 35,729
Tel.: (978) 251-3509
Fax: (978) 251-3973

N. Chelmsford, Massachusetts 01863

Date: *July 29, 2004*

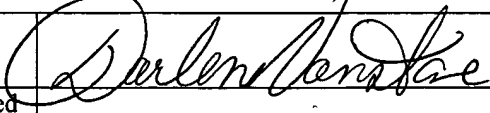
**ELMORE CRAIG, P.C.****FEE TRANSMITTAL FOR
PATENT APPLICATIONS**

Attorney Docket Number	ENP-029 CON
Application Number	10/796,412
First Named Inventor	Ly Tam Phan

Claim Calculation (includes any preliminary amendment)

CLAIMS	(1) For	(2) Number Filed	(3) Number Extra	(4) Rate	(5) Calculations
	Total Claims (37 CFR 1.16(c) (j))	17-20* =	0	x \$ 18 =	\$0
	Independent Claims (37 CFR 1.16(b) or (j))	1-3** =	0	x \$ 86 =	\$0
	Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
	Basic Fee (37 CFR 1.16(a) or (h)) =				\$ 770
	Total of above Calculations =				\$ 770
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$ 385
	TOTAL =				\$ 385
	Surface – Late Filing of Declaration or filing Fees (37 CFR 1.16(e)) =				\$ 65
	Petition for Extension of Time Fee (37 CFR 1.17) =				\$
	Assignment Recordation Fee (only when filed with application) =				\$
	Other =				\$
	* Reissue claims in excel of 20 and over original patent **Reissue independent claims over original patent				
	TOTAL =				\$ 450

- Small entity status:
 - ☐ A small entity statement is enclosed.
 - ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - ☐ is no longer claimed.
- ☒ A general authorization is hereby granted to charge Deposit Account Number 502807 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
- ☒ A check is enclosed for \$450.00
- ☐ Please charge \$ _____ to Deposit Account Number 502807.
- ☐ Other: _____

Signature		Date	<u>July 20, 2004</u>
Submitted by Typed or Printed Name	Darlene A. Vanstone	Registration Number	35,729